

IN THE DISTRICT COURT OF THE UNITED  
STATES, FOR THE MIDDLE DISTRICT OF  
ALABAMA, EASTERN DIVISION.

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DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

ALONZO AUSTIN }  
Plaintiff, }  
v. }  
GLOBAL CONNECTION }  
Defendant. }

3:07-CV-00042-MEF

RULE 56(a) MOTION FOR SUMMARY JUDGMENT  
Pursuant to Rule 9(b) Fraud-RICO Allegations

Comes Now, Plaintiff, Alonzo Austin  
and Moves this honorable Court to CON-  
SIDER the Following with Support thereof.

1. That on November 11, 2005 the  
defendant, falsely and fraudulently  
and with intent to defraud  
the plaintiff, represented to  
the plaintiff, that if Plaintiff  
would agree to allow Defendant  
to draft Plaintiff, Credit Card  
Account For Monthly Local and Long Distance  
Services Plaintiff would receive 100 Long Distance  
Minutes Free For doing so..

II

2. Those representations were false in fact and known to be false by the defendant, at the time they were so made, and in truth and in fact. The only Long Distance Minutes received by Plaintiff, were the Long Distance minutes paid for by Plaintiff.

3. Plaintiff, relied upon the representations and was thereby induced. The defendant, did draft Plaintiff, Credit Card for the months of November 2005 and December 2005 with Plaintiff's, consent. However, defendant, did not provide the 100 Free Long Distance Minutes as promised.

And after daily and weekly demands by Plaintiff to defendant to add said minutes to the Long Distance Account without success Plaintiff informed Defendant of the pending Termination on January 6, 2006.

because Defendant's failure to provide the 100 Free Long Distance Minutes as promised which resulted in the damages demanded. Moreover

Defendant ignored Termination Notice and acted intentionally, willfully, wantonly and maliciously, for profit and without just cause. When Plaintiff account was drafted on 1/06/2006 for \$46.99. See Exhibit A Attached.

## III

4. That Defendant executed this scheme to defraud by causing matters to be mailed and delivered by the UNITED STATES Postal Service Namely the monthly bill, thus the Defendant committed acts of mail fraud, indictable under 18 U.S.C. § 1341. Defendant also caused sounds to be transmitted by means of wire communications in interstate commerce resulting in wire fraud indictable under 18 U.S.C. § 1343 to plaintiff credit card issuer. For monthly payments. And finally a check was mailed from Defendant to plaintiff in the amount \$21<sup>99</sup> on 1/12/06 with no explanation. See attached as exhibit B #1257

5. That Defendants actions constitutes "Racketeering Activity" within the meaning of 18 U.S.C. § 1961(1) and all of which collectively constituted part of a "pattern of Racketeering Activity" within the meaning of 18 U.S.C. § 1961(5).

WHEREFORE, Plaintiff, Alonzo Austin, demands damages of \$166<sup>91</sup> actual and \$30,000<sup>00</sup> in Exemplary Damages, Plus interest and cost, against Defendant.

Respectfully Submitted  
Alonzo Austin, Pro Se

IV

CERTIFICATE OF SERVICE

I Alonzo Austin, hereby Certify  
that I have served Copies of the  
Foregoing Documents upon the Defendants  
by placing same in the UNITED STATES  
MAIL ~~Postage~~ prepaid on this 9<sup>th</sup> day  
of March 2007 and Addressed to

GLOBAL CONNECTION INC. OF AMERICA  
c/o MCKOON, THOMAS & MCKOON  
925 Broad Street

P.O. Box 3220

PHENIX CITY, AL. 36868-3220

~~Alonzo Austin~~  
~~Alonzo Austin, Jr. Sr.~~  
Alonzo Austin  
1321 Oliver-Carlis Rd.  
Tuskegee, AL. 36083  
(334) 727-5476

Account Number		Credit Line									
5490 9916 1669 9100		\$31,700.00		\$31,700.00		30		02/06/06		\$0.00	
Posting Date		Transaction Reference Number		Card Type		Category		Transactions		FEBRUARY 2006 STATEMENT	
PAYMENTS AND CREDITS		4267 MC		MC		PAYMENT - ELECTRONIC					
PURCHASES AND ADJUSTMENTS		4977 MC		MC		C GLOBAL CONNECTION INC/ ATLANTA		615-2292133		GA	
01/09 01/06		0108 MC		MC		C FREEDOM COMMUNICATIONS		615-2292133		TN	
01/10 01/09		2289 MC		MC		C WAL-MART #0356		SE2 AUBURN		AL	
01/10 01/09		2769 MC		MC		C AMP ACORN MEDIA PUBLIN		888-870-8047		MD	
TOTAL FOR BILLING CYCLE FROM 01/08/2006 THROUGH 02/06/2006										\$217.56	
										\$1,750.00 CR	

Exhibit A

CREDIT BALANCE PLEASE DO NOT PAY

# IMPORTANT NEWS

ENJOY THE CONVENIENCE AND FLEXIBILITY THE ENCLOSED CHECKS OFFER.  
 LOOKING TO SAVE ON YOUR AUTO LOAN? WHETHER IT'S A NEW LOAN OR REFINANCING AN EXISTING ONE, VISIT [WWW.MBNA.COM/LOANS](http://WWW.MBNA.COM/LOANS) TO SEE HOW YOU COULD SAVE!  
 NEED THE PERFECT GIFT FOR YOUR VALUED EMPLOYEES, RESPECTED COLLEAGUES, OR CLOSE FRIENDS? FIND GIFT CARDS FOR EVERY OCCASION AT [WWW.MBNAGIFTCARD.COM](http://WWW.MBNAGIFTCARD.COM).

## SUMMARY OF TRANSACTIONS

Previous Balance	(-) Payments and Credits	(+) Cash Advances	(+) Purchases and Adjustments	(+) Periodic Rate FINANCE CHARGES	(+) Transaction Fee FINANCE CHARGES	(+) New Balance Total	Past Due Amount	Current Payment	Total Minimum Payment Due
\$1,452.76	\$1,750.00	\$0.00	\$217.56	\$0.00	\$0.00	\$79.68 CR	\$0.00	\$0.00	\$0.00

TOTAL MINIMUM PAYMENT DUE

## FINANCE CHARGE SCHEDULE

Category	Periodic Rate	Corresponding Annual Percentage Rate	Balance Subject to Finance Charge
Cash Advances			
A. BALANCE TRANSFERS, CHECKS	0.024630% DLY *	8.99%	\$0.00
B. ATM, BANK	0.069150% DLY *	25.24%	\$0.00
C. PURCHASES	0.069150% DLY *	25.24%	\$0.00

\* Periodic Rate May Vary

## FOR YOUR SATISFACTION, EVERY HOUR, EVERY DAY

- For Customer Satisfaction and up to the minute automated information including balance, available credit, payments received, payments due, due date, payment address information, or to request duplicate statements, call 1-800-789-6885.
- For TDD (Telecommunication Device for the Deaf) assistance, call 1-800-346-3178.
- Mail payments to MBNA AMERICA, P.O. BOX 15287, WILMINGTON, DE 19886-5287.

Billing rights are preserved only by written inquiry. Mail billing inquiries, using form on the back, and other inquiries to MBNA AMERICA, P.O. BOX 15026, WILMINGTON, DE 19850-5026.

FOR THIS BILLING PERIOD: ANNUAL PERCENTAGE RATE.....SEE ABOVE

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION.

USE011

5490 9916 1669 9100

6257 517 Y 6YK 0309 1300 00  
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